

Minutes of June 21, 1972, continued

Existence of Public Nuisance and Order to Demolish" and the "Declaration of Mailing." Mr. Mullen stated that more than 30 days had elapsed since the mailing and posting of said notice and that no person had appeared to protest or object to the findings of the Chief Building Inspector. Photographs of the structure were also presented to the Council for viewing and then filed with the City Clerk.

City Attorney Mullen then called upon Chief Building Inspector J. Paul McClure to present his testimony to the City Council. The City Clerk swore in Chief Building Inspector J. Paul McClure and he then gave the following testimony:

"My inspection of the above premises disclosed the following unsafe, dangerous and hazardous conditions:

1. Section 17906 of the Health Code requires each building, and any portion thereof, and the premises of each building to be clean, sanitary, free from all accumulation of debris, filth, rubbish, garbage, vermin, and other offensive matter. All of these prohibited conditions are present at the above property.
2. Water is standing under the house in a stagnant and unsanitary condition.
3. All the screens on the windows are in need of repair or replacement.
4. Floor coverings must be replaced and the floor itself must be repaired and maintained in a safe condition.
5. The kitchen sink and sink boards need to be replaced and recovered.
6. The console floor heater in the southwest bedroom must be removed because it is illegal to locate a space heater in a bedroom or bathroom.
7. The area of the northeast room is insufficient to be maintained as a bedroom due to the ceiling height.
8. The main electric service on the west side of the house will have to be changed to a minimum of 50 amps., and the interior wiring checked and additional plugs and outlets installed to comply with the City of Lodi Electrical Code.
9. The plumbing vents and the plumbing under the sinks must be replaced or repaired to eliminate all leaks and unsanitary conditions.
10. Reference is made to the pictures attached, all of which were taken on May 19, 1972, in my presence by Lodi Police Department Officer Vincent Lake.

Minutes of June 21, 1972, continued

- a. Pictures 1 and 2 show the exterior of the premises and the fact that the required notice has been posted. These pictures also depict the fire hazard by reason of the grass, the lack of proper roofing, and the fact that the windows are broken out and there are no screens. Your attention is also called to the roof and in Picture 2 note the sag in the roof line from the chimney to the easterly end of the building.
 - b. Pictures 3 and 4 indicate the deterioration of the foundations and the presence of dry rot.
 - c. Picture 5 indicates the various violations of the Building Code as noted on the picture.
 - d. Picture 6 indicates the violations of the Electric Code.
 - e. Pictures 7 and 8 indicate the violations of the Health and Safety Code with reference to the garbage, debris, filth, and rubbish.
11. By reason of a combination of all of the foregoing conditions, in my opinion the house is in such a dilapidated condition that repair is impossible and the building should be demolished."

The City Attorney asked if there were any persons in the audience who wished to speak on the above matter. There was no one who wished to speak either in favor of or in opposition to the matter.

The City Council, on motion of Councilman Katnich, Hughes second, then adopted its Order directing Cathy White and Judy Tobias, the record owners of the hereinafter described premises, and/or Matilda Pacesas (Cary), holder of a deed of trust lien thereon to remove the building and structure at 324 1/2 Louie Avenue and that said work of removal should be commenced not less than 10 days after the issuance of this order and said work shall proceed to its completion on or before July 19, 1972. The structure herein referred to is situate on the real property in the City of Lodi, County of San Joaquin, described as follows:

The South 50 feet of Lot 47, of Tract No. 16, Map of Froehner Subdivision, Lodi, California, according to the Official Map or Plat thereof, filed for record April 1, 1937, in Book of Maps and Plats, Vol. 11, Page 25, San Joaquin County Records. (Measured by a line drawn parallel to the South line of Lot 47).

V. MEYER -
RE CITY
POLICIES

Mr. Victor Meyer, 221 West Oak Street, questioned the current status of the City's requirement that the Westmont Development Company provide oversized sewage lines in the areas south of English Oaks Manor development.

Minutes of June 21, 1972, continued

Mr. Meyer pointed out that at the last meeting he had requested the Development Company be relieved of this responsibility. He asked when they could expect a report from the staff and a decision by the City Council on the matter. Mr. Meyer also requested the Council adopt a "payment policy" regarding tie-in charges as he felt the present City policy to be inequitable.

City Manager Graves explained that the General Plan was presently being reviewed and it would be difficult to make decisions in these areas until review of the General Plan has been completed and some direction is received from the City Council.

After considerable Council discussion, the Council determined that an adjourned Council meeting would be held on Wednesday, July 26, at which time the City's policies with regard to the above matters would be discussed.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of June 12, 1972:

REZONE TO
P-D (10) 81-ACRE
PARCEL E OF
S. HUTCHINS ST.

The Planning Commission recommended the approval of the request of Mrs. Esther Anderson for a change in zoning from the R-1, Single-Family Residential District to P-D (10), Planned Development District No. 10 for an approximate 81-acre parcel on the east of South Hutchins Street, bounded by Harney Lane, South Hutchins Street; a line running east and west approximately 2640 feet north of the centerline of Harney Lane and the Southern Pacific Railroad right of way with certain conditions.

On motion of Councilman Schaffer, Hughes second, the matter was set for public hearing on July 5, 1972.

REZONE TO
R-LD NE
COR. N. HAM
& W. LOCUST

The Planning Commission recommended the approval of the request of Mr. Louis Fugazi by Mr. Robert J. Mertz for a change in zoning from the R-2, Single-Family Residential District to the R-LD, Low Density Multiple-Family Residential District for a 119-foot by 390.36-foot parcel located at the northeast corner of North Ham Lane and West Locust Street. (The parcel includes Lots 1, 2, 3, 4 and 5 of Fairmont Park and a 60-foot by 119-foot abandoned portion of North Sunset Drive.)

On motion of Councilman Schaffer, Hughes second, the matter was set for public hearing on July 5, 1972.

ACTIONS OF
INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of Dr. Lee G. Bates for a Variance to reduce the required rear yard from 10 feet to 0 feet to permit the construction of a commercial building on the rear property line adjacent to a residentially-zoned area on a parcel located between 1100 and 1120 South Cherokee Lane in an area zoned C-2, General Commercial District.

Minutes of June 21, 1972, continued

2. Recommended that the San Joaquin County Planning Commission approve the request of the East Side Winery for a change in zoning from the I-PA, Interim-Protected Agricultural District to the M-1, Limited Manufacturing District for a parcel on the north side of State Highway 12, from 0' to 480' east of the intersection of the Southern Pacific Railroad right-of-way and the Central California Traction Company right-of-way, east of Lodi.
3. Recommended that the San Joaquin County Planning Commission approve the request of Mr. Chance Wong for a change in zoning from the GA-1, General Agricultural District to the R1-U, Residential District for a 14-acre parcel at the southeast corner of Woodbridge Road and Augusta Street, Town of Woodbridge.
4. Recommended that the San Joaquin County Board of Zoning Adjustment deny the request of Mr. Marvin Swan for a Use Permit for a temporary mobilehome while constructing a duplex on an adjoining lot, on the south side of Augusta Street, 100 feet east of Chestnut Street, Town of Woodbridge, in an area zoned R-2, Residential District.
5. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of Mr. Harold Merrill for a Use Permit to expand an existing nursery on the south side of Turner Road, from 2620 feet to 2770 feet west of Lower Sacramento Road, west of Lodi in an area zoned GA-5, General Agricultural District.

COMMUNICATIONS

ABC LICENSE An application for alcoholic beverage license was received for Shannon Carpenter and Elmer Ehrlich, The Playboy, 7 South Sacramento Street, person-to-person transfer, on-sale beer.

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$315,422.42 were approved on motion of Councilman Schaffer, Katnich second.

STATE
EXAMINING
SERVICES City Manager Graves recommended the City renew its contract with the Cooperative Personnel Services, California State Personnel Board, providing for examination services to the City. On motion of Councilman Katnich, Pinkerton second, the Council adopted Resolution No. 3643 approving the contract and authorizing its execution by the City Manager on behalf of the City.

RES. NO. 3643

Minutes of June 21, 1972, continued

AMBULANCE
SERVICE RATE
INCREASE
REQUEST

The City Manager reported that the Lodi Ambulance Service had submitted a request for an increase in their rates for service. He explained that the City Code provides that the ambulance company shall file its rate schedule with the City and the rates cannot be changed without first filing the modified rates with the City Council thirty days prior to the effective date of the change. Mr. Michael N. Nilssen, co-owner of the Lodi Ambulance Service, 340-B South Fairmont Avenue, explained their request was for an increase in the base rate from the present \$30.00 to \$35.00 and an increase in the mileage rate from \$1.00 to \$1.50 per mile.

After a brief discussion, Councilman Hughes moved action on the request be deferred until Wednesday, July 5, 1972. The motion was seconded by Councilman Schaffer and carried. The Council then requested the Lodi Ambulance Service to furnish a statement of operating costs prior to the meeting on July 5.

TOPICS

City Manager Graves stated that each of the Councilmen had received prior to the meeting a copy of Lodi's TOPICS (Traffic Operations Program to Increase Capacity and Safety) Study Report. He explained that the report is a review of 19 intersections throughout the City for determination of warrants for traffic signal installation. Of the 19 intersections studied, 11 of them warranted traffic signals. He reviewed the intersections warranting traffic signals by priority number and reported there were sufficient 1970-71 TOPICS funds and City matching funds to accomplish the first two priority projects, namely Ham Lane and Elm Street and Lodi Avenue and Stockton Street.

The City Council, on motion of Councilman Katnich, Hughes second, then accepted the TOPICS Study Report prepared and submitted by the Public Works Director.

The City Council, on motion of Councilman Hughes, Katnich second, authorized submission of the project reports on high priority projects (traffic signals at the intersection of Ham Lane and Elm Street and Lodi Avenue and Stockton Street) to the State Division of Highways.

RIGHT OF WAY
CERTIFICATE

RES. NO. 3644

On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3644 authorizing issuance of a right of way certificate for traffic signal installation at the intersection of Ham Lane and Elm Street.

RIGHT OF WAY
CERTIFICATE

RES. NO. 3645

On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3645 authorizing issuance of a right of way certificate for traffic signal installation at the intersection of Lodi Avenue and Stockton Street.

Minutes of June 21, 1972, continued

ISSUANCE OF
ENVIRONMENTAL
STATEMENTS

The City Council, on motion of Councilman Pinkerton, Schaffer second, then authorized the issuance of Environmental Statements on each of the above projects.

LAKE PARK
GARBAGE
SERVICE

Mr. Graves told the Council that the Sanitary City Disposal Company had under its original franchise with the City an obligation to remove garbage from the Lodi Lake Park. He explained that the volume of garbage had increased over the years making it necessary for the City to make other arrangements for removal of garbage from the Lake Park. He explained that City crews have used City trucks to augment the Company's services and were now hauling garbage to the Landfill during the week. This had prompted a review of the problem with the Sanitary City Disposal Company and the Company had submitted a proposal to the City. The proposal provided that a charge be made to the City during the five summer months. In addition, containers would be placed in the Park and the City would be charged for them over a three-year period. The Company also proposed to make no charge for pickups during the seven slack months of the year until the volume increases beyond 50 cans a week. In outlining the Company's proposal, the City Manager said the pickup service would cost \$960 for the five-month period during the summer and the annual charge for containers would be \$433 per year for a three-year period for a total of \$1,393 per year. Mr. Graves felt this total cost was less than the present cost to the City with City personnel doing the job under the present conditions. He recommended approval of the proposal.

Mr. Dario DeBenedetti, representing the Sanitary City Disposal Company, 18012 North Cluff Avenue, discussed the proposal and answered questions of the Council. After discussion, Councilman Katnich moved the Council authorize the City Manager and the City Attorney to negotiate an agreement with the Sanitary City Disposal Company in accordance with the proposal submitted by the Company dated May 23, 1972; and further that the City Council schedule a future meeting with the Recreation Commission to discuss the Lodi Lake Park as well as other parks in the City. The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

LIGHTING -
LAKE PARK

Councilman Hughes reported that he had learned that Mr. Robert Baker, patrolman for the Lake Park, felt additional lighting was needed in the park area at the end of Laurel Avenue. Councilman Hughes recommended a light be installed at this location for safety purposes. On motion of Councilman Pinkerton, Schaffer second, the Council directed the staff to install immediately a light on the Lake Park property near the end of Laurel Avenue.

The Council then requested the City Manager to determine if property owners were interested in installation of street lights on Laurel Avenue.

Minutes of June 21, 1972, continued

APPOINTMENTS

ENVIRONMENTAL QUALITY COM. - CCSJAPA

Mayor Ehrhardt proposed the following appointments to the Cities and County of San Joaquin Advisory Planning Association Environmental Quality Committee and asked the Council's concurrence:

Mr. Jack Fiori
Mr. Thomas Griffin
Mrs. Esther Lund
Mr. Robert W. Schulenberg

On motion of Councilman Schaffer, Katnich second, the Council concurred in the above appointments.

PLANNING COMMISSION

Mayor Ehrhardt proposed the following appointments to the Planning Commission and asked the Council's concurrence:

Mr. Fred Muther (reappointment) (4-year)
Mr. Lucas Tonn (terms expiring June 30, 1976)

On motion of Councilman Pinkerton, Schaffer second, the City Council concurred in the above appointments.


LIBRARY BOARD

Mayor Ehrhardt proposed the reappointment of C. M. "Bud" Sullivan to the Library Board for a three-year term expiring June 30, 1975. On motion of Councilman Katnich, Hughes second, the Council concurred in this appointment.

ADJOURNMENT

At approximately 10:22 p.m. the Mayor adjourned the meeting to an executive session for discussion of personnel matters.

At the conclusion of the executive session the Mayor adjourned the meeting to 8:00 p.m., Wednesday, June 28, 1972.

Attest:  BESSIE L. BENNETT
City Clerk